

Name of meeting: **Licensing and Safety Committee**

Date: **13th December 2016**

Title of report: **Out of Area Applicants – Geographical Knowledge Test**

Key decision: Is it likely to result in spending or saving £250k or more, or to have a significant effect on two or more electoral wards?	No
Key Decision - Is it in the Council's Forward Plan	Key Decision – No Private Report/Private Appendix - No
The Decision - Is it eligible for “call in” by Scrutiny ?	‘Not applicable’
Date signed off by <u>Director</u> & name	Jacqui Gedman – 02/12/16
Is it signed off by the Assistant Director - Financial Management, Risk, IT & Performance?	Debbie Hogg – 10/11/16
Is it signed off by the Assistant Director – Legal, Governance & Monitoring?	Julie Muscroft – 30/11/16
Cabinet member portfolio	Cllr Mather – Portfolio Holder for Housing & Enforcement Management

Electoral [wards](#) affected: **All**
 Ward councillors consulted: **None**
 Public or private: **Public**

1. Purpose of report

To request approval from Members to consult with stake holders and the trade on introducing a geographical knowledge test for applicants for a hackney carriage/private hire licence (badge) from outside the Kirklees area.

1.1 The Local Government (Miscellaneous Provisions) Act 1976 provides that a district council may attach to the grant of a licence this section such conditions as they may consider reasonably necessary.

1.2 It is established practice to consult with the trade where the council propose to make changes to either policy or conditions of licensing and this is endorsed by the Taxi and Private Hire Licensing Guidance from the Department for Transport Best Practice Guidance.

2. Summary and Background Information

- 2.1. The licensing authority has recently experienced a large demand for appointments for new drivers who live outside the Kirklees area. Currently Licensing Officers will have a brief discussion with the applicant to confirm their intentions should a licence be granted. The applicants are suggesting that they are being directed to Kirklees to obtain a licence and being told that they can then work in other controlled districts outside of Kirklees once a licence from Kirklees is granted. They are though being told that if they are licensed by Kirklees they are expected to predominantly work in Kirklees.
- 2.2. They are being directed to us because they believe our process is perceived as relatively straightforward and cheap compared to other districts such as Sheffield which already has a geographical knowledge test.
- 2.3. This influx of applications from out of area applicants is causing problems for our existing licence holders getting appointments. We have recently introduced an extra 24 hours of appointments since moving to the Contact Centre in October but despite this the trade are finding that they are struggling to get appointments in a timely manner due to the amount of new driver applications we are receiving, mainly from people out of area. This can result in existing drivers/vehicles being unlicensed for a period meaning they cannot work until they are able to get an appointment to renew their licence.
- 2.4. To address the issue of people applying from outside the area and whom have no knowledge of the Kirklees district we would like to introduce a geographical knowledge test that the out of area applicants must undertake and pass before they can apply to be a licensed driver with us. This would free up more appointment times for our existing licensed drivers and also make it more difficult for the operators who exploit the cross border sub-contracting regulations.

3. Implications for the Council

- 3.1. An improved standard and knowledge of the district from out of area applicants who successfully complete the test. Reduced concerns regarding out of area drivers badged in Kirklees.

4. Consultees and their opinions

- 4.1. If the Committee approve the proposal a consultation will be carried out with the trade and other interested parties in Kirklees for a period of 8 weeks. This will include seeking the views of the trade and their representatives, customers, the public, W Yorkshire Police, school contract and others.
- 4.2. This will be done by letter, facebook, online (Kirklees website), face to face and surveys
- 4.3. Once the consultation with interested parties has taken place a more detailed report will be produced with the responses and findings being presented to Members for them to consider and make a decision..

5. Officer recommendations and reasons

- 5.1. To instruct the Licensing Manager to undertake an appropriate consultation with the trade and interested parties about introducing a geographical knowledge test for applicants who live outside the Kirklees area.

6. Cabinet portfolio holder recommendation

6.1 Cllr Naheed noted the issues arising from applicants who have no local geographical knowledge and supports the proposed consultation being carried out.

7. Contact officer

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8. Assistant Director responsible

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